

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. We do not need the time now.

Mr. WARNER. If I could have a brief colloquy, the leadership needs to focus on working with Senator LEVIN and myself, as we always do each year on this bill. We are hopeful to finish this bill this week. I think that is shared by the other side of the aisle.

Our Members are going back for the Memorial Day weekend, and the provisions in this bill are provisions that relate to so many of the men and women in the Armed Forces with whom they will undoubtedly be associating over the course of this weekend. It is definitely in the interest of Members to move forward on this bill.

While we have a hearing in the Armed Services Committee tomorrow morning on the questions related to prison abuse, the bill is going forward. Members of our committee will be in the Senate intermittently as the hearing is going on. That will not in any way, I hope, be viewed as an impediment to forward progress.

I, personally, am willing to stay here as long into the evenings as desired by our leadership to get this done. In years past, my distinguished colleague from Nevada has been most helpful in moving this piece of legislation.

Mr. REID. Mr. President, through you to the distinguished Senator, first, on behalf of the people of the State of Nevada, and I think I speak for the country, the way the Senator has handled this committee with Senator LEVIN during this very difficult time has been admirable. The Senator is my stereotype of the Senate. The Senator is a proud member of the Republican Party, yet the Senator has the wisdom and the experience to be able to set those partisan desires to one side. That is good for the country. The Senator has certainly indicated that during the past few days. We respect the Senator for that.

Mr. President, we will be happy to cooperate with the distinguished chairman in attempting to finish this bill this week. It is a big "ask," because we have on our side, and the Senator has on their side, Members offering amendments. I see the distinguished junior Senator from Mississippi is shopping an amendment. We have a number of bipartisan amendments being talked about.

We are in the mode of wanting to cooperate. We understand the importance of this legislation. It may be very difficult to finish. We have Tuesday, we have Wednesday, we have Thursday, and Friday.

As the Senator knows, this is the Friday before the Memorial Day recess. The Senator is more experienced than I, but come Thursday night, Friday morning, Members will have parades and things to do so it will be very difficult to finish this bill. However, the Senator should understand that on this side we will cooperate in any way we can to finish the bill.

Mr. WARNER. I thank my distinguished colleague. I emphasize tomorrow morning's hearings will not interfere with progress on the bill. We have three of our combatant commanders, coincidentally, in Washington for a variety of reasons.

The letter Senator LEVIN and I sent to the Secretary of Defense scheduling additional witnesses offered the option of a teleconference hearing, thinking they would not be back, but we are fortunate they have returned for not only this hearing but a wide range of additional duties they are performing in Washington by way of consultation. That will not be an impediment. We will move forward tomorrow as scheduled with our work on the committee.

Mr. President, we are prepared to move ahead.

The PRESIDING OFFICER. All time has expired. The question is on third reading and passage of the bill.

The bill was ordered to a third reading and was read the third time.

Mr. WARNER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The bill having been read the third time, the question is, Shall the bill pass?

The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Hawaii (Mr. INOUE) and the Senator from Massachusetts (Mr. KERRY) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 96 Leg.]

YEAS—98

Akaka	Dodd	Lott
Alexander	Dole	Lugar
Allard	Domenici	McCain
Allen	Dorgan	McConnell
Baucus	Durbin	Mikulski
Bayh	Edwards	Miller
Bennett	Ensign	Murkowski
Biden	Enzi	Murray
Bingaman	Feingold	Nelson (FL)
Bond	Feinstein	Nelson (NE)
Boxer	Fitzgerald	Nickles
Breaux	Frist	Pryor
Brownback	Graham (FL)	Reed
Bunning	Graham (SC)	Reid
Burns	Grassley	Roberts
Byrd	Gregg	Rockefeller
Campbell	Hagel	Santorum
Cantwell	Harkin	Sarbanes
Carper	Hatch	Schumer
Chafee	Hollings	Sessions
Chambliss	Hutchison	Shelby
Clinton	Inhofe	Smith
Cochran	Jeffords	Snowe
Coleman	Johnson	Specter
Collins	Kennedy	Stabenow
Conrad	Kohl	Stevens
Cornyn	Kyl	Sununu
Corzine	Landrieu	Talent
Craig	Lautenberg	Thomas
Crapo	Leahy	Voinovich
Daschle	Levin	Warner
Dayton	Lieberman	Wyden
DeWine	Lincoln	

NOT VOTING—2

Inouye                      Kerry

The bill (H.R. 3104) was passed.

Mr. LOTT. I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

## NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2005—Resumed

The PRESIDING OFFICER. The clerk will report the pending business. The journal clerk read as follows:

A bill (S. 2400) to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes.

Pending:

Lautenberg amendment No. 3151, to clarify the application of Presidential action under the International Emergency Economic Powers Act.

The PRESIDING OFFICER. The Senator from Mississippi.

AMENDMENT NO. 3158

Mr. LOTT. Mr. President, I call up amendment No. 3158, which is at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The journal clerk read as follows:

The Senator from Mississippi [Mr. LOTT], for himself, Mr. DORGAN, Ms. SNOWE, Mrs. FEINSTEIN, Mr. COCHRAN, and Mr. DASCHLE, proposes an amendment numbered 3158.

Mr. LOTT. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide that the 2005 base closure round shall apply solely to military installations located outside the United States and to provide for expedited consideration by Congress of a proposal for a base closure round in 2007 on military installations located inside the United States)

At the end of title XXVIII, add the following:

### Subtitle E—Defense Base Closure and Realignment

#### SEC. 2861. MODIFICATION OF 2005 BASE CLOSURE ROUND TO APPLY SOLELY TO MILITARY INSTALLATIONS OUTSIDE THE UNITED STATES.

The Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) is amended by adding at the end the following new section:

#### "SEC. 2915. APPLICABILITY OF 2005 ROUND SOLELY TO MILITARY INSTALLATIONS OUTSIDE THE UNITED STATES.

"(a) IN GENERAL.—(1) Notwithstanding any other provision of this part, the military installations covered by activities under this part in 2005 shall consist solely of military installations outside the United States.

"(2) Except as otherwise provided in this section, for purposes of activities under this part in 2005 any reference to military installations inside the United States shall be deemed to be a reference to military installations outside the United States.

"(b) INAPPLICABILITY OF SELECTION CRITERIA FOR 2005.—The final selection criteria prepared under section 2913 shall not be used in making recommendations for the closure

or realignment of military installations under this part in 2005.

“(C) RECOMMENDATIONS OF SECRETARY OF DEFENSE.—(1) In lieu of any information otherwise required under paragraph (1) or (2) of subsection (b) of section 2914, the recommendations of the Secretary of Defense under subsection (a) of that section shall include the following:

“(A) A detailed plan for eliminating any physical capacity at military installations outside the United States that requires the unnecessary diversion of scarce resources for operation and maintenance, sustenance, or recapitalization of such capacity.

“(B) A list of the military installations outside the United States that are proposed for closure or realignment under this part, and a schedule for the closure or realignment of such installations.

“(C) A list of the military installations to which personnel or equipment will be relocated from military installations included in the list under subparagraph (B), including for each military installation so listed, the new infrastructure to be required for such personnel or equipment and the cost of such infrastructure.

“(D) An estimate of the cost savings to be achieved by the closure or realignment of military installations under subparagraph (B).

“(E) A certification whether or not a round in 2007 for the closure or realignment of military installations inside the United States is advisable.

“(2) In making recommendations referred to in paragraph (1), the Secretary shall take into account the final report of the Commission on the Review of the Overseas Military Facility Structure of the United States under section 128 of the Military Construction Appropriations Act, 2004 (Public Law 108-132; 117 Stat. 1382; 10 U.S.C. 111 note).

“(d) COMMISSION REVIEW AND RECOMMENDATIONS.—(1) In addition to the requirements specified in section 2914(d), the Commission shall include in its report under paragraph (1) of that section the following:

“(A) An assessment by the Commission of the extent to which the recommendations of the Secretary under subsection (c) take into account the final report referred to in subsection (c)(2).

“(B) An assessment by the Commission whether or not the recommendations of the Secretary under subsection (c) maximize the amount of savings that can be achieved by the United States through the closure or realignment of military installations outside the United States.

“(C) An assessment by the Commission whether or not a round in 2007 for the closure or realignment of military installations inside the United States is advisable.

“(2) Paragraph (5) of section 2914(d) shall not apply to the review and recommendations of the Commission, under such section and this subsection, of the recommendations of the Secretary under subsection (c).

“(e) COMPLETION OF CLOSURE OR REALIGNMENT ACTIONS.—The closure or realignment of military installations outside the United States under this part pursuant to activities under this part in 2005 shall be completed not later than December 31, 2010.”

**SEC. 2862. BASE CLOSURE ROUND IN 2007 RELATING TO INSTALLATIONS INSIDE THE UNITED STATES.**

(a) TWO-YEAR EXTENSION OF BASE CLOSURE LAW FOR PURPOSES OF ROUND IN 2007.—Section 2909(a) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) is amended by striking “April 15, 2006,” and inserting “April 15, 2008.”

(b) EXPEDITED CONSIDERATION BY CONGRESS OF ROUND IN 2007.—That Act, as amended by

section 2861 of this Act, is further amended by adding at the end the following new section:

**“SEC. 2916. REQUIREMENTS AND LIMITATIONS ON BASE CLOSURE ROUND IN 2007 RELATING TO INSTALLATIONS INSIDE THE UNITED STATES.**

“(a) EXPEDITED CONSIDERATION BY CONGRESS OF AUTHORIZATION FOR ROUND.—The consideration by Congress of a joint resolution for a round of defense base closure and realignment under this part in 2007 relating to military installations inside the United States shall be governed by the provisions of section 2908.

“(b) JOINT RESOLUTION.—For purposes of this section and the application of section 2908 to the joint resolution referred to in subsection (a), the term ‘joint resolution’ means a joint resolution which is introduced within the 10-day period beginning on the date in 2005 on which the President transmits to Congress an approval and certification described in paragraph (2) or (4) of section 2903(e) in accordance with section 2914(e), and—

“(1) which does not have a preamble;

“(2) the matter after the resolving clause of which is as follows: ‘That a round of defense base closure and realignment is authorized to occur under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) in 2007, with such round to apply to military installations inside the United States’; and

“(3) the title of which is as follows: ‘Joint Resolution to authorize a round of defense base closure and realignment in 2007 with respect to military installations inside the United States.’

“(c) CRITERIA AND SCHEDULE FOR 2007 ROUND.—Not later than 15 days after the date of the enactment of the joint resolution, the Secretary of Defense shall publish in the Federal Register the following:

“(1) The selection criteria to be utilized in the round of defense base closure and realignment under this part in 2007, which criteria shall be the final selection criteria developed under section 2913(e), together with such modifications of such final selection criteria as the Secretary considers appropriate in light of changes in circumstances since March 15, 2004.

“(2) The schedule in 2007 for actions on recommendations and consideration of recommendations in the round of defense base closure and realignment under this part under section 2914, which schedule shall, to the maximum extent practicable, be the schedule for 2005 as specified under that section together with such modifications as the Secretary considers appropriate to take into account changes in the calendar between 2005 and 2007.”

Mr. LOTT. Mr. President, first I have a couple of housekeeping items. I am delighted to join in support of a truly bipartisan amendment. The lead sponsors of the amendment are Senator DORGAN of North Dakota, Senator SNOWE of Maine, Senator FEINSTEIN of California, Senator COCHRAN of Mississippi, and Senator DASCHLE of South Dakota. We do have broad bipartisan support as original sponsors.

I would like to begin by describing the amendment. This will take approximately 10 minutes, and then perhaps Senator DORGAN can have 10 minutes and then Senator COCHRAN would like to be recognized. We will try to get the opening statements in before we break for the policy luncheons, and

then we can discuss during the break the timing on the amendment and how we proceed from there.

Does the manager of the legislation have a comment?

Mr. WARNER. Mr. President, I thank my good friend and leader for bringing up this amendment at this time. I approached him on the floor saying we are anxious to get the bill moving, and he accepted the challenge. I am not sure if I am going to support him on this amendment, but, nevertheless, we will have a good and thorough debate.

My distinguished colleague, Senator LEVIN, and I conferred earlier this morning. We are both of a frame of mind that we want to move with tremendous momentum. Today is a good day to move on. I urge Senators to bring their amendments to the floor. We are willing to stay here into the evening and participate in the process.

During the hearing of the Armed Services Committee tomorrow morning at 8:30 to sometime midday, we will have members of the committee on the floor. We will not lose a step in moving forward on this bill. It is important to have this hearing tomorrow. We are fortunate that the Department of Defense brought back commanders for a variety of reasons, not just our hearing. Senator LEVIN and I had made the offer to do it by telephone conferences. It is important we continue the continuity of the hearings of our committee.

The point of this is, I would hope, if I can frankly say to our leadership, that perhaps we could get a unanimous consent agreement later tonight to lock in those amendments that we know are out there on this bill. I hope we can do that. I have seen a list of 50 amendments. Yet I think it is an incomplete list. Perhaps within the course of the day we can explore that option with our leadership.

Mr. LEVIN. Will the chairman yield?

Mr. WARNER. Yes.

Mr. LOTT. Mr. President, I believe I have the floor. I will be glad to yield.

Mr. LEVIN. If the Senator from Mississippi will yield, forgive me, I join our chairman in urging all of our colleagues to bring the amendments to the floor, share the language with us, and allow us to move expeditiously on this bill by doing that.

We are going to proceed, as the chairman indicated, tomorrow morning on the floor to consider amendments at the same time that we are holding a hearing with the three generals who have been outlined. We can do both at the same time with the cooperation of all of our Members. We have the cooperation of all of our Members.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. LOTT. Mr. President, I am delighted we are moving forward with this amendment. I know how much the managers like to get the process started and consider major amendments. I believe this is an issue that deserves some consideration and some debate

during the day and early on. We will be prepared to work with the managers to get a reasonable time agreement and get to a vote because I think this is the best way to proceed on legislation such as this. We are not interested in delaying tactics.

I rise to offer this amendment which would modify the Base Realignment and Closure Act of 1990, BRAC, to first consider our needs overseas before we move forward with closing more bases at home.

Let me emphasize what this amendment is not. This is not an amendment that would eliminate or terminate the next BRAC round. This is not an amendment that would even delay it for 2 years, as the House Armed Services Committee language now provides. I believe they would delay the next base closure round until 2007. No, this amendment specifically says let's go forward with the realignment overseas. Let's look at our force structure. Let's determine how many installations are truly needed and required overseas, what their missions are, and what will the future call for.

We have talked about needing a more mobile, lighter force with a lot of prepositioning, but as we found out in Iraq, that may not be all that we need.

Then the question is, if we decide to bring back some of these divisions, such as the 1st Armored Division now based in Germany, where would we put them? The question is, before we go to the next domestic round, let's get this decision on realignment and changing of force structure overseas, see what we are going to need over there, where we are going to put our troops, and what are we going to do with them when they come home. Then the BRAC Commission would go forward with the domestic round.

I want to emphasize a couple of points about how this would work.

It would make clear that section 2913, the selection criteria, for the 2005 round does not apply in that we would have the overseas realignment first and then the domestic. It would keep the existing schedule for the Pentagon's mission of a list and for a BRAC consideration of that list. It specifies that the Secretary's May 16, 2005, submission to the BRAC Commission should include a number of items.

The Secretary's May 16, 2005 submission to the BRAC commission should include a detailed plan for eliminating excess physical capacity at the overseas bases and facilities of the Department of Defense, the operation, sustainment, and recapitalization of which diverts scarce resources from defense capability; a list of overseas bases and facilities that will be closed or realigned during the period 2005-2010 and a schedule for implementing each base closure or realignment; where the personnel and equipment from each base on the list will be relocated to; the infrastructure investments that are required at each receiving base; an estimate of the annual net savings for

each of the military departments that will result from the closures and realignments; and a certification whether the need exists for an additional round of domestic base closures and realignments in 2007.

It also says in developing the overseas base closure plan, the Secretary shall take into consideration the report of the Commission on review of overseas military structures of the United States that is due to report its findings by December 31, 2004. In other words, this process is underway, but we need to get those Commission reports. They need to take into consideration the overseas decision before they go to the next domestic round. That is basically what this amendment does.

I want to cite, though, why I feel so concerned about this. The record is clear that I have never thought BRAC was a good idea. I think the way it should be done is the way it was done always up until the 1980s. The Pentagon determines where they have overlap or duplication, they send up foreclosure recommendations to the Congress, and Congress acts.

The argument might be that Congress wouldn't act. They did. Congress acted in the 1950s, the 1960s, the 1970s, and up to the midpart of the 1980s and numerous bases throughout the country were closed. It is an assumption we cannot assume our rightful role in this Government or in that process. So that is something that is clear.

There are other factors now. As I have looked at domestic bases and looked at overseas bases, the very idea we are now going to move forward with a base closure round that would close up to 25 percent of our existing bases is a real concern, if that is going to be done domestically. As a matter of fact, CBO says the four-count them, the four BRAC rounds we have already had resulted in little or no excess capacity in the United States—little or no excess capacity. Yet the Pentagon is insisting on moving forward with this BRAC at this time.

Let me assure my colleagues, too, they are doing it differently this time. The list is not being compiled by uniformed services, but it is being pulled up to the Office of the Secretary of Defense level. That does worry me.

We are doing this at a time when we have our troops all over the world, in combat situations in Afghanistan and Iraq. The American people are concerned about our troops, concerned about our capacity to have sufficient numbers there. We have National Guard and reservists serving now and doing a tremendous job, I think, up to perhaps as much as 40 percent of the troops are deployed in those locations. Keep this in mind. The next BRAC round will include National Guard. We didn't have that in the past. But National Guard facilities will probably—will, under the definition they are going forward with, be included in this process.

These are communities all over America, in almost every State. I have

here a list of the bases that have been on earlier BRAC closure lists or would probably be on the list, based on the criteria as we now understand them. All over America, communities and States are worried about the situation. They are employing consultants to represent the communities or the States. It is running into the millions of dollars because of this sheer uncertainty: Is it going forward or not? Are we going to be affected or not? And, by the way, the Secretaries of Defense—and I say Secretaries because I have talked to three of them about it—refuse to set up this criterion in such a way where you look at the places where you know you have duplication or overlap. Why put everybody on the list, everybody in an uproar, when you know as a matter of fact the duplication is in this place or that place? No, they don't want to define it in that sort of limited way.

Here is the point. We need to decide what we are going to do overseas first. We need to be careful about what we do domestically because it could be affected by what we do overseas. At a time when we are at war in Afghanistan and Iraq, at a time when our people are already concerned about what the future is for their military men and women in their communities and in fact their families, let's do this in such a way that people will feel comfortable we are going about it in the right way.

There have been some bases eliminated overseas since the wall came down. In fact, I think 700 facilities in Europe have been closed. But we still have 200,000 troops stationed overseas—80,000 in Germany alone, and that doesn't count some of the reservists and civilians. I suspect there are as many as 100,000 in Germany alone. Let me give an example here with this chart of what we are talking about. This is Germany—unified Germany, surrounded by Belgium, France, Switzerland, Austria, Czech Republic, Denmark. I don't think they are threatened by any of those countries.

You will see on this chart the sites where we have Army and Air Force bases in Germany. They are, of course, right across the central part, but they are also now in what was East Germany. There are 310 installations, an estimated 100,000 people in Germany alone. Do we need 310 installations? Some of them are small, but let me assure you on my recent trip to Berlin it was clear they wanted to keep all these bases and it was clear why. Because economically it is helpful—economically helpful to Germany. Yet we are talking about closing bases here at home, when we have 310 bases there.

By the way, this is also a country that has recently said they would no longer provide 2,500 troops to guard our installations in Germany while the troops ordinarily stationed there are in Iraq not even 2,500 troops.

I am saying let's take a strong look at Germany. It is not only Germany. I don't want to pick on Germany. We have, I think, 18 installations in Belgium, 12 in The Netherlands. Let me

make sure I have the exact numbers—18 in Belgium, 310 in Germany, 12 in The Netherlands, 101 in South Korea, 54 in the United Kingdom. There is a list here of what we have overseas, a total of 721 facilities overseas.

Do we need to have a hospital or Air Force bases in Germany? Sure. Do we need to have naval bases in Spain? Sure. Do we need to have prepositioning at various places around the world? Absolutely. We have heard a lot of talk about this restructuring or realignment overseas, but we still have not gotten it done. In fact, if you look at the force structure plan for BRAC 2005, based on the Pentagon's forecast, it assumes the same forces as now, from 2005 to 2009. It apparently assumes the forces that are based overseas now will remain based overseas.

Are we going to have a realignment and bring some home or not?

I think this amendment makes good sense. It does not stop BRAC. It allows it to go forward. But it puts the horse before the cart. Let's look at the overseas situation. Let's assess what we need there. Let's find out what we are going to do with them if we do bring them back home and then go forward with the next step.

I talked with Senator DORGAN a lot about this. We thought about it carefully. We want to do the right thing. Surely there are some bases we could close and installations in the United States that could be closed. But I think we should do it in an orderly way and I think the timing of doing it now could not be worse.

I don't trust this process. Some people say if you do the commission, it takes it out of politics. Who believes that? Commissions are beyond politics? Take a look at the last commission. We got in a terrible conflict based on a decision that involves the States of Texas and California. I am not picking on those States, but it happened.

Let's take more time. Let's do the overseas situation first and then go forward with the domestic bases a year or two from now, when we will have a better feel for what is happening in the world.

Since we are limited on time, I would like to withhold further comments at this time so Senator WARNER or Senator DORGAN could speak and perhaps Senator COCHRAN wishes to be heard on this issue, too.

I yield the floor.

Mr. WARNER. I thank my colleague. We are off to a very good start.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. I ask unanimous consent that the hour for purposes of discussing these opening remarks be extended to 12:45.

Mr. LEVIN. I wonder—

Mr. WARNER. We could have some division between Senator LEVIN and myself. Perhaps if we could—

Mr. LEVIN. I wonder if the Senator would amend that to 12:40?

Mr. WARNER. You have 12:40. Why don't we reserve, say, 5 minutes within

that period, or 6 minutes for the Senator from Michigan and myself and allocate the remainder of the time to our other two colleagues.

With that, I yield the floor.

The PRESIDING OFFICER. Without objection, it is so ordered. Time has been extended until 12:40.

The Senator from North Dakota.

Mr. DORGAN. It sounds to me as though we are left with 3 or 4 minutes, as I understood it. I don't think that accomplishes it. I will speak only 2 or 3 minutes at the moment. I know I have two colleagues who perhaps would like to speak for a couple of minutes. I would be glad to come back after our caucuses—

Mr. WARNER. Mr. President, we certainly could come back after the caucuses. I am trying to help to get a little bit of time.

Mr. DORGAN. Let me do 3 minutes, and then I will yield the floor so my colleagues might also say a word or so. My colleague, Senator LOTT, explained the reason for this.

Let me explain what this bill is not. This amendment is not an amendment that would obliterate or abolish next year's BRAC Commission. It does not do that. It does say next year's BRAC Commission should make judgments and recommendations to the Congress on the overseas base structure.

It makes good sense that we would understand and try to think through what our basing structure should be internationally before we decide what our needs are here at home. If, for example, at some point we do not have 100,000 troops in Germany and we bring home 50,000 of those troops to this country—incidentally, we ought to consider that because it is very expensive to keep 100,000 troops in Germany—if we did that, where would we put 50,000 troops? At which base? What set of bases?

So we propose something that would make good sense, make judgments in next year's BRAC Commission about the overseas bases, where we should retain overseas bases.

Since we authorized the BRAC round, we have had the continuing war on terrorism, a war in Afghanistan, and a war in Iraq. We have had a series of things that have altered in many ways what our responsibilities are around the world. The cold war is over. We have new challenges and new responsibilities.

The question we should answer first is, What should our base structure be internationally and from that, then, what kind of needs do we have to house troops at home?

My colleague mentioned several other features of this bill. Let me leave it at that. I will come back this afternoon after the caucus lunch and discuss in greater detail why we have offered this amendment. We do not intend to trip up the Pentagon or trip up the managers of the bill. We intend to see if we cannot have the base-closing process happen in an orderly way, fig-

ure out what the overseas structure should be, and from that, then if the Congress considers a 2007 round, have an affirmative vote to do that and make that judgment with respect to domestic bases.

The PRESIDING OFFICER. The Senator from Maine.

Ms. SNOWE. Mr. President, I will defer my statement until after the policy luncheon at 2:15, but I want to say I truly appreciate the leadership of Senator DORGAN and Senator LOTT in this matter. It is critical we concentrate on this particular issue in terms of the impact for the future.

Senator LOTT indicated so eloquently that there is no question there is a problem with this process. It is not transparent. We are in a different threat environment than we have ever been. Clearly, we have to reevaluate, reassess the base-closing process in that light.

I will defer all of my comments until 2:15.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. This is a very significant amendment, in light of the history of the Senate now for consecutive years, deciding to go forward with the BRAC process that is well underway.

I share the viewpoints expressed by Senator LOTT, Senator SNOWE, and the Senator from North Dakota, the need to address the overseas situation. When time permits later on, I will explain what has been done to date by the Department of Defense in conjunction with the ongoing BRAC Commission regarding these bases. It is very significant.

The Department of Defense has moved forward. I think shortly they will submit to the Congress drawing down forces and bases in both the areas referred to by Senator LOTT and others; I might add also significant drawing down of forces inside Korea. That is underway.

Part of this proposed legislation in this amendment is the 2-year delay. I draw on the very comment made by my distinguished colleague, the Senator from Mississippi, Mr. LOTT, of the turbulence in the communities engendered by the existing law as they are struggling to get high-powered assistance and expert advice from every possible source, depending on the community budget, to try to preserve their military installation. That process is now continued for another 2 years. This is a somewhat heavy burden on many of these small communities to try to do the best they can to fight the existing law.

That is the key question Members have to consider: Are they going to extend these hardships under the existing law for 2 more years as we address the overseas situation, which I can assure Members later this afternoon is being thoroughly addressed by the Department of Defense in the context of the existing law.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, we have received now a letter from the Chairman of the Joint Chiefs of Staff representing all of the chiefs urging the Senate to continue their unequivocalness to continue the 2005 round of base realignment and closures as authorized by Congress. They are pleading with us not to leave this issue unresolved because the savings which are essential for the transformation of our military are savings they want to achieve. They are working very hard on the transformation of our military. They clearly intend there be a global posture review, and there will be a global posture review, taking into account the closing of bases overseas.

There is a commission that must be created this year and is required to report to us on the review of the overseas military facility structure. This is referred to in the amendment. As I understand it, they have not yet been appointed, but it is required that the leadership appoint that commission, and it is required, obviously, that the Secretary of Defense and Department of Defense next year, in making their recommendations, take into account the very report this amendment says should be taken into account.

So we have a global posture review which is underway. It will be completed. We have a commission to review overseas military facilities. That is all in place. It is all ongoing. It is all in order. There is a logic to it all in terms of looking at the overseas bases first.

I could not agree more with the Senator from Mississippi and the Senator from North Dakota. Of course, you will look at overseas bases first. That is what is going on now. That is the global posture review. That is the commission on the review of the overseas military facility structure which is in the process of being appointed and will report this year.

But to disrupt all that and to leave every base in the United States in limbo for another 2 years is not doing a favor either to our military structure or to the bases around our country. We all have bases. Are we going to leave them nervous? Are we going to leave them in limbo for 2 more years? That is not doing them a favor and it is doing a significant disfavor to our military posture and the requirement that we transform, as the chief said, the combat capability of the Department of Defense.

I hope this amendment would be rejected.

Mr. WARNER. I simply add that right in this letter, and I ask unanimous consent this letter be printed in the RECORD at this point, a comprehensive overseas basing review is nearly complete. It is significant.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CHAIRMAN OF THE  
JOINT CHIEFS OF STAFF,  
Washington, DC, May 18, 2004.

Hon. JOHN WARNER,  
Chairman, Committee on Armed Services,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: We are writing this letter to emphasize our continued and unequivocal support for conducting a 2005 round of base realignment and closure (BRAC), as authorized by the Congress. The convergence of ongoing strategy and overseas basing actions, the transformational direction in all the Services and force structure changes together afford us a once-in-a-generation opportunity to truly transform the Department's combat capability in an enduring way. A delay of this BRAC round, or a modification of the legislation that limits the Department's flexibility to execute it, will seriously undermine our ability to fundamentally reconfigure our infrastructure to best support the transformation of our forces to meet the security challenges we face now and will continue to face for the foreseeable future.

A comprehensive overseas basing review is nearly complete. The continued concentration of forces in Cold War locations highlights the need for a global repositioning to locations that best support our strategic goals. In order to ensure that the Department examines its entire infrastructure, the rationalization of our domestic infrastructure as conducted by the BRAC process must closely follow the Global Posture Review. Both efforts are necessary for a genuine capabilities-based infrastructure rationalization and to further transformation of our warfighting capabilities.

We ask for your careful consideration of the importance we place on conducting a 2005 BRAC round as currently authorized. BRAC has proven to be the only comprehensive, fair, and effective process for accomplishing this imperative. We assure you that the Department will conduct BRAC 2005 in a way that ensures it maintains force structure and infrastructure that is flexible enough to surge and respond to changing threats to our national security.

PETER PACE,  
General, USMC, Vice  
Chairman of the  
Joint Chiefs of Staff.

RICHARD B. MYERS,  
Chairman of the Joint  
Chiefs of Staff.

PETER J. SCHOOMAKER,  
General, U.S. Army,  
Chief of Staff, U.S.  
Army.

VERN CLARK,  
Admiral, U.S. Navy,  
Chief of Naval Operations.

JOHN P. JUMPER,  
General, USAF, Chief  
of Staff, U.S. Air  
Force.

MICHAEL W. HAGEE,  
General, U.S. Marine  
Corps, Commandant  
of the Marine Corps.

Mr. WARNER. I yield the floor.

Mr. DORGAN. How much time remains?

The PRESIDING OFFICER. There is 1½ minutes.

Mr. DORGAN. I will respond, of course.

I must point out, to proceed as current law anticipates, we should anticipate it will cost us money in the short term. We are struggling around here to find money but we will actually expend

more money in the short term with respect to the 2005 BRAC round, and we do not propose we obliterate this entire process.

What we propose is to establish an order that makes sense. The order that would make sense would be to evaluate where we would house overseas troops, given the new realities of the world, and then from that understand what our domestic needs are. That seems to me to be the logical and right approach. I don't think it poses any additional risk for anyone.

The current 20-year plan, the unclassified portion of the 20-year forecast for the threat and for basing, apparently assumes the same size force as we now have and apparently assumes the same forces that are based overseas, which largely remain based overseas. I don't think that is likely to be the case.

We are proposing a structure which would put the horse in front of the cart. That is the amendment we have offered.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I ask unanimous consent that I be given 5 minutes, not on this subject.

The PRESIDING OFFICER. Is there objection?

Mr. LEVIN. No objection.

Mr. WARNER. First, Mr. President, I yield back all time on our side. I believe that completes the debate, at this point, on this side.

The PRESIDING OFFICER (Ms. SNOWE). All time has expired.

Is there objection?

Without objection, it is so ordered.

Mr. HATCH. Madam President, I thank my dear colleagues for allowing me this time. I apologize for taking a little extra time today, but I think it is important.

(The remarks of Mr. HATCH are printed in today's RECORD under "Executive Session.")

Mr. HATCH. Madam President, I appreciate your patience and I appreciate this extra time. I yield the floor.

## RECESS

The PRESIDING OFFICER. The Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:46 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. VOINOVICH).

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The majority leader.

## EXECUTIVE CALENDAR

Mr. FRIST. Mr. President, earlier today Senator DASCHLE and I had a